

COUNCIL MEETING NOTICE AND AGENDA

WEDNESDAY, JUNE 17, 2015

9:00 A.M. OR SOON THEREAFTER

COUNCIL CHAMBERS

HISTORIC COUNTY BUILDING

4396 RICE STREET, SUITE 201

LĪHUʻE, KAUAʻI, HAWAII 96766

RECEIVED

A. MEETING CALLED TO ORDER.

'15 JUN 10 P2:05

B. ROLL CALL.

OFFICE OF
THE COUNTY CLERK
COUNTY OF KAUAI

C. APPROVAL OF AGENDA.

D. MINUTES of the following meetings of the Council:

1. February 6, 2015 Facilitated Shared Priorities Workshop
(Deferred June 3, 2015)
2. May 6, 2015 Council Meeting
3. May 13, 2015 Public Hearing re: Bill No. 2582, Bill No. 2583, and Resolution No. 2015-26

E. CONSENT CALENDAR:

1. C 2015-170 Communication (05/25/2015) from the County Engineer, transmitting for Council consideration, a Resolution Establishing a Maximum Speed Limit of Thirty Miles Per Hour (30 MPH) and Forty Miles Per Hour (40 MPH) Along Ala Kalanikaumaka, Kōloa District, County of Kauaʻi, State of Hawaiʻi. *(See Resolution No. 2015-46)*
2. C 2015-171 Communication (05/27/2015) from the Director of Finance, transmitting for Council information, the Period 10 Financial Reports – Detailed Budget Report, Statement of Revenues (Estimated and Actual), Statement of Expenditures and Encumbrances, and Revenue Report as of April 30, 2015, pursuant to Section 21 of Ordinance No. B-2014-781, relating to the Operating Budget of the County of Kauaʻi for the Fiscal Year 2014-2015. *(Copies of the Period 10 Financial Reports as of April 30, 2015 on file in the County Clerk's Office.)*

3. C 2015-172 Communication (05/28/2015) from the Director of Finance, transmitting for Council information, the following reports:
- (1) County of Kaua'i Bond Summary of General Long-Term Debt Amount Outstanding as of July 1, 2014;
 - (2) County of Kaua'i Bond Supplemental Summary of General Long-Term Debt Amount Outstanding as of June 30, 2015; and Excluded County of Kaua'i Bond Supplemental Summary of Long-Term Debt Amount Outstanding as of June 30, 2015: CFD No. 2008-1 (Kukui'ula Development Project) Special Tax Bonds, Series 2012, sold April 25, 2012. *(Copy on file in the County Clerk's Office.)*
4. C 2015-173 Communication (06/04/2015) from Councilmember Kaneshiro, providing written disclosure of a possible conflict of interest and recusal, with regard to C 2015-166, which is the Right-of-Entry Agreement and Memorandum of Understanding between the County of Kaua'i and Grove Farm Company, Inc., as he is employed with Grove Farm Company, Inc.
5. C 2015-174 Communication (06/09/2015) from the Mayor, transmitting for Council consideration and confirmation, the following Mayoral appointees to the various Boards and Commissions for the County of Kaua'i:
- 1. Charter Review Commission
 - Merrilee M. Ako – Term ending 12/31/2017
 - 2. Fire Commission
 - Michael T. Martinez – Term ending 12/31/2016
- (See Resolution No. 2015-47 and Resolution No. 2015-48)*
6. C 2015-175 Communication (06/09/2015) from Council Vice Chair, transmitting for Council consideration, a proposal to amend the Kaua'i County Code 1987, as amended, by repealing Article 25 of Chapter 22, entitled "Barking Dogs."
(See Proposed Draft Bill (No. 2590))

F. COMMUNICATIONS:

1. C 2015-176 Communication (05/13/2015) from the Mayor, requesting agenda time for representatives from Smith Dawson & Andrews, Inc., to provide the Council with a recap of the services and activities provided to the County during the past year as part of their professional services contract as the County's Washington, D.C. consultants.

2. C 2015-177 Communication (05/22/2015) from the Housing Director, requesting Council approval of the following:
- Disposal of twenty-two (22) boxes containing Housing Assistance Participant records (outdated); closed Homebuyer loan payment records; purchase orders; bank statements; employee timesheets; payroll summaries; Community Development Block Grant (CDBG) files for Fiscal Year 2007-2008, Health Insurance Portability and Accountability Act (HIPAA) files from years 1998, 1999, and 2000; and Pa‘anau/Kalepa payment requests from Fiscal Year 2005-2008, pursuant to Section 46-43, Hawai‘i Revised Statutes and Resolution No. 49-86 (1986) as amended, which has been kept for over seven (7) years and are no longer of use or value; and
 - Continued authorization to dispose of similar records as they become seven (7) years old.
3. C 2015-178 Communication (06/01/2015) from the Chief of Police, requesting Council approval to purchase the Officers Safety Package from TASER International, Inc. in the amount of \$51,608.42 from the Kaua‘i Police Department (Account No. 206-1001-551.89-06, Asset Forfeiture Account). This package consists of one hundred five (105) Axon Flex Body Cameras, twelve (12) Axon 6-bay Evidence.com docks, unlimited Evidence.com video storage, one hundred five (105) collar/versatile/cap flex mounts, one hundred five (105) controller/holster/belt clip flex, premium plus service, one hundred five (105) X26P Taser Conductive Electric Weapons (CEW), 4-year warranty on one hundred five (105) X26P CEW, one hundred five (105) X26P CEW battery packs, and one hundred five (105) X26P CEW holsters.
4. C 2015-179 Communication (06/03/2015) from the Boards & Commissions Administrator, requesting Council approval to receive and expend funding in the amount of \$2,000 from the Hawai‘i State Commission on the Status of Women, to support the County of Kaua‘i Committee on the Status of Women and their ongoing advocacy and work towards equality for women and girls by acting as a catalyst for positive change through advocacy, education, collaboration, and program development. The moneys will also be utilized for their Annual community events, which include September Women’s Health Fair (a partnership with Life’s Choices Kaua‘i), October Breast Cancer Awareness, sponsorship of Kaua‘i Drug Court Graduations, 2016 Career Day event, March Women’s History Month, April Equal Pay Day, Walk a Mile in Her Shoes (sponsored by the YWCA), as well as other activities including travel to the State Legislature for testimony, all in support of Hawai‘i Revised Statutes (HRS) Section 367-3(1)-(7).

5. C 2015-180 Communication (06/04/2015) from Councilmember Chock, requesting agenda time to discuss the formation of a sub-committee to research and analyze the costs and benefits of a County Manager-Council form of government and to compare it with the costs and benefits of a Mayor-Council form of government.
6. C 2015-181 Communication (06/05/2015) from Council Chair Rapozo, requesting Council consideration, for the public release of the following County Attorney opinion relating to Bill No. 2589 (Recovery of Rescue Expenses):
- County Attorney Opinion dated May 27, 2015 (Tracking No. 15-0441)

G. CLAIM:

1. C 2015-182 Communication (06/03/2015) from the County Clerk, transmitting a claim filed against the County of Kaua'i by Advantage Rent A Car, for damage to their vehicle, pursuant to Section 23.06, Charter of the County of Kaua'i.

H. COMMITTEE REPORT:

1. COMMITTEE OF THE WHOLE:

- a. **CR-COW 2015-06:** on Bill No. 2588 A BILL FOR AN ORDINANCE APPROVING A COLLECTIVE BARGAINING AGREEMENT FOR BARGAINING UNITS 2, 3, AND 4 BETWEEN JULY 1, 2015 AND JUNE 30, 2017 [**Approved as Amended.**]

I. RESOLUTIONS:

1. Resolution No. 2015-46 – RESOLUTION ESTABLISHING A MAXIMUM SPEED LIMIT OF THIRTY MILES PER HOUR (30 MPH) AND FORTY MILES PER HOUR (40 MPH) ALONG ALA KALANIKAUMAKA, KŌLOA DISTRICT, COUNTY OF KAUA'I, STATE OF HAWAII

2. Resolution No. 2015-47 – RESOLUTION CONFIRMING MAYORAL APPOINTMENT TO THE CHARTER REVIEW COMMISSION (*Merrilee M. Ako*)

3. Resolution No. 2015-48 – RESOLUTION CONFIRMING MAYORAL APPOINTMENT TO THE FIRE COMMISSION (*Michael T. Martinez*)

J. BILL FOR FIRST READING:

1. Proposed Draft Bill (No. 2590) – A BILL FOR AN ORDINANCE TO AMEND CHAPTER 22, KAUAI COUNTY CODE 1987, AS AMENDED, BY REPEALING ARTICLE 25, RELATING TO BARKING DOGS

K. BILL FOR SECOND READING:

1. Bill No. 2588, Draft 1 – A BILL FOR AN ORDINANCE APPROVING A COLLECTIVE BARGAINING AGREEMENT FOR BARGAINING UNITS 2, 3, AND 4 BETWEEN JULY 1, 2015 AND JUNE 30, 2017 (*See also CR-COW 2015-06; the Committee of the Whole recommended approval as amended to Bill No. 2588, Draft 1 on June 10, 2015.*)

L. EXECUTIVE SESSION: *Pursuant to Hawai'i Revised Statutes (HRS) §92-7(a), the Council may, when deemed necessary, hold an Executive Session on any agenda item without written public notice if the Executive Session was not anticipated in advance. Any such Executive Session shall be held pursuant to HRS §92-4 and shall be limited to those items described in HRS §92-5(a). (Confidential reports on file in the County Attorney's Office and/or the County Clerk's Office. Discussions held in Executive Session are closed to the public.)*

1. ES-805 Pursuant to Hawai'i Revised Statutes (HRS) Sections 92-4 and 92-5(a)(2), and Kaua'i County Charter Section 3.07(E), the Kaua'i County Council will meet in Executive Session with the County Clerk. This Executive Session pertains to the evaluation of the County Clerk where consideration of matters affecting privacy will be involved as they relate to this agenda item.

M. ADJOURNMENT.

N. NOTE: SPECIAL ACCOMMODATIONS AND SIGN LANGUAGE INTERPRETER AND INTERPRETERS FOR NON-ENGLISH SPEAKING PERSONS ARE AVAILABLE UPON REQUEST FIVE (5) DAYS PRIOR TO THE MEETING DATE, TO THE COUNTY CLERK, 4396 RICE STREET, SUITE 209, LĪHU'E, KAUAI, HAWAII 96766. TELEPHONE NO. (808) 241-4188. FACSIMILE NO. (808) 241-6349.

*TO VIEW MEETINGS, MEETING ARCHIVES, OR TO DOWNLOAD/ACCESS AGENDA ATTACHMENTS, PLEASE VISIT: WWW.KAUAI.GOV/WEBCASTMEETINGS.